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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **MITCHELL S. TANCIO, an individual;**
11 **YOLANDA D. TANCIO, an individual;**
12 **Plaintiffs,**

13 **vs.**

14 **SAXON MORTGAGE SERVICING; an**
15 **unknown business entity; FREMONT**
16 **REORGANIZING CORPORATION, a**
17 **California Corporation; ATOB REALTY,**
18 **WELLS FARGO BANK NATIONAL**
19 **ASSOCIATION, AS TRUSTEE FOR**
20 **FREMONT INVESTMENT & LOAN**
21 **SABR 2005-FR2, ITS ASSIGNEES**
22 **AND/OR SUCCESSORS IN INTEREST,**
23 **an unknown business entity, CORINTHIAN**
24 **REALTY, an unknown business entity, and**
25 **DOES 1 through 50 inclusive,**
26 **Defendants.**

CASE NO: 4:10-CV-00606 PJH

~~{PROPOSED}~~ ORDER

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~~{PROPOSED}~~ ORDER

1 Pursuant to the terms of the stipulation entered into by Plaintiffs and Defendants, the
2 Motion to Dismiss and Motion to Amend set for April 28, 2010 are vacated and Plaintiffs are
3 granted leave to file a First Amended Complaint.

4 IT IS HEREBY ORDERED that the Motion to Dismiss and Motion to Remand set for
5 April 28, 2010 be vacated and Plaintiffs are granted leave to file a First Amended Complaint.

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7 SO ORDERED.

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9 **Dated:** April 12, 2010



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11 **Phyllis J. Hamilton, District Court Judge**
12 **United States District Court**
13 **Northern District of California**
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~~[PROPOSED]~~ ORDER